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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,249	11/30/2001	Saima S. Khan	DAVOX-183XX	4237
28452	7590	09/30/2004	EXAMINER	
BOURQUE & ASSOCIATES, P.A. 835 HANOVER STREET SUITE 303 MANCHESTER, NH 03104			GELIN, JEAN ALLAND	
			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/998,249

**Applicant(s)**

KHAN, SAIMA S.

**Examiner**

Jean A Gelin

**Art Unit**

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 November 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4 and 5 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crossley (US 6,751,310 B1) in view of McDuff et al. (US 6,490,350 B2).

Regarding claim 1, Crossley teaches a computerized telephony dynamic paging system (automated system for managing calls campaign, col. 2, lines 20-32) comprising: associated a paging system database containing properties with at least one contact party and at least trigger condition (col. 3, line 63 to col. 4, line 2); a condition monitor, adapted to monitor conditions of a call campaign being processed by a computer telephony system, to detect at least trigger condition (i.e., a call record is dialed upon detecting an event, col. 4, line 64 to col. 5, line 65); a pager telephone processor responsive to a detected trigger generating and processing a pager telephone call upon the one trigger condition (col. 5, lines 30-65).

Crossley does not specifically teach a pager graphical user interface (P-GUI), facilitating the control said dynamic paging system by a system user.

However, the preceding limitation is known in the art of communications. McDuff teaches the monitoring system includes a graphical user interface that holds calls center statistic such as the number of abandoned calls, the number of ghost calls, the number

of hang-ups and the number of handheld calls (col. 1, lines 32-42, col. 11, line 30 to col. 12, line 45). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to implement the technique of McDuff within the system of Crossley in order to display on the graphical user interface the percentage of agents that either on call, unavailable or available.

Regarding claim 2, Crossley in view of McDuff all the limitation above. Crossley further teaches at least one prepared script for processing by said pager telephone call processor, said script responsive to said properties contained in said paging system database (col. 4, lines 30-36, col. 4, line 64 to col. 5, line 65).

### ***Allowable Subject Matter***

3. Claims 4 and 5 are allowed.
4. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
5. The following is a statement of reasons for the indication of allowable subject matter: the prior art teaches monitoring the call campaign and modifying outbound call campaign by changing the pre-selected campaign parameter or call record selection criteria.

As per claim 3, the Applicant teaches wherein said script further retrieves properties associated with said detected condition and provides said properties to said contact party in numeric pager message. As per claims 4 and 5, the Applicant further

teaches storing properties associated with said at least one contact party and said at least one triggering condition in a paging system database; monitoring said telephone call campaign during its processing to detect the occurrence of said at least one at least one triggering condition; generating and processing a pager telephone call upon the detection of said at least one triggering condition. These limitations, in conjunction with all limitations of the independent claim, have not been disclosed, taught, or made obvious over the prior art of record.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Beckett, II et al. (US 6,510,220) teaches method and apparatus for simultaneously monitoring computer user screen and telephone activity from a remote location.

Cambray et al. (US 5,577,112) teaches telephony system with supervisory management center and parameter testing with alerts.

Kneipp et al. (US 6,266,407) teaches telephony system command scheduler and precedent processor.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A Gelin whose telephone number is (703) 305-4847. The examiner can normally be reached on 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R Hudspeth can be reached on (703) 308-4825. The fax phone

Art Unit: 2681

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JGelin  
September 23, 2004

JEAN GELIN  
PRIMARY EXAMINER

A handwritten signature in cursive script that reads "Jean Gelin".